



**SIGNED THIS 7th day of December, 2018**

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.  
PLEASE SEE DOCKET FOR ENTRY DATE.**

A handwritten signature in dark ink, appearing to read "Paul M. Black".

Paul M. Black  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

IN RE:  
MARK ASHLEY GIBSON AND LUCIA  
GIBSON A/K/A LUCIA KOSKI A/K/A  
LUCIA WILLIAMS

Debtors

BCN#: 18-71401-PMB  
Chapter: 7

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Nationstar Mortgage LLC d/b/a Mr. Cooper  
or present noteholder,  
Movant/Secured Creditor,

Mary F. Balthasar Lake, Esquire  
Gregory N. Britto, Esquire  
Renee Dyson, Esquire  
Thomas J. Gartner, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
SHAPIRO & BROWN, LLP  
501 INDEPENDENCE PARKWAY, SUITE 203  
CHESAPEAKE, VIRGINIA 23320  
(703) 449-5800 18-278139

v.  
MARK ASHLEY GIBSON AND LUCIA  
GIBSON A/K/A LUCIA KOSKI A/K/A LUCIA  
WILLIAMS  
Debtors  
and  
SCOT S FARTHING (424194)  
Trustee  
Respondents

### DEFAULT ORDER

Upon review of the pleadings and the provision of the Court's Pre-Hearing Order which provides that respondents' failure to file a responsive pleading within fourteen (14) days of the docketing of said Order shall be deemed a waiver of any further opportunity for hearing and a default; and

WHEREAS, as of December 5, 2018, the Debtor Respondent has not filed a responsive pleading by a date at least fourteen (14) days from the docketing of the Pre-Hearing Order; and

IT IS ORDERED, that the automatic stay imposed by 11 U.S.C. §362 (a) be lifted, as to Nationstar Mortgage LLC d/b/a Mr. Cooper, secured party and holder of a certain promissory note evidencing an indebtedness secured by the lien of a deed of trust, with a property address of 5438 Loblolly Drive, Roanoke, VA 24019, with regard to the property described as:

Lot 8, Block 5, according to the Plat of Section 1, Meadow Wood Estates, dated June 13, 1972, prepared by T.P. Parker & Son, Engineers & Surveyors, of record in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, in  
Plat                      Book                      8,                      page                      23.

BIENG the same property conveyed to the Grantor herein by Deed dated September 8, 2015, recorded prior to this Deed of Trust.

IT IS FURTHER ORDERED that F.R.B.P. 4001(a)(3) is not applicable to the case at hand and Nationstar Mortgage LLC d/b/a Mr. Cooper may immediately enforce and implement this order granting relief from the automatic stay;

IT IS FURTHER ORDERED that the relief granted in this order shall survive any subsequent conversion by the Debtor(s) to a case under any other chapter of the bankruptcy code.

IT IS FURTHER ORDERED that nothing contained herein shall prohibit the Movant from adding reasonable attorney's fees and costs incurred in this proceeding to the outstanding

indebtedness in accord with the terms of the subject Deed of Trust and Note and applicable state law.

IT IS FURTHER ORDERED that subsequent to any foreclosure sale of the subject property conducted by Movant, or its successors or assigns, the Secured Creditor may take all lawful actions to take possession of the Subject Property.

\*\*\*END OF ORDER\*\*\*

I ask for this:

/s/ Mary F. Balthasar Lake

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Mary F. Balthasar Lake, Esquire  
Gregory N. Britto, Esquire  
Renee Dyson, Esquire  
Thomas J. Gartner, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
Counsel for Movant

I certify that I have served the proposed Order upon all parties to the action by first class mail, postage prepaid, on the 7<sup>th</sup> day of December, 2018.

/s/ Mary F. Balthasar Lake

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Mary F. Balthasar Lake, Esquire  
Gregory N. Britto, Esquire  
Renee Dyson, Esquire  
Thomas J. Gartner, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
Counsel for Movant

Copies are to be sent to:

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18-278139